

4/5/2020

Gmail - Re: New letter

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4/6/2020

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THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT**Re: New letter**

1 message

PeeWee Mac <peeweemac2@gmail.com>

Sun, Apr 5, 2020 at 12:35 PM

On Thu, Apr 2, 2020, 10:05 PM Trent St. James <

> wrote:

Robert Sylvester Kelly Bail Letter
 Register Number: 09627-035
 Located at Chicago MCC

Direct all correspondence to:

Honorable Judge Harry D. Leinenweber
 Everett McKinley Dirksen United States Courthouse - Room 1946
 219 South Dearborn Street
 Chicago, IL 60604

Re: United States of America v. Robert Sylvester Kelly

The purpose of this correspondence is to respectfully request that you grant defendant Robert Sylvester Kelly also known as "R. Kelly" bail pending trial. Mr. Kelly, is currently in custody at Metropolitan Correctional Center Chicago (MCC Chicago). He has been in custody since July 2019, with a pending trial date of October 13, 2020. As you may know, there has been an ongoing national discussion regarding criminal justice reforms including bail and pre-trial detention. Bail encourages those charged with a crime to return for their court dates. Defendants are constitutionally protected by the Eight Amendment against excessive bail. The main part of the argument for criminal justice reform is to assess pretrial detention and bail because it has historically been used as a tool to keep accused criminals off the street prior to a conviction. The issue of money bail and pretrial detention is something that's been talked about a lot in Illinois, in Cook County and nationally.

My intentions are not to downplay the seriousness of the charges in the indictment or the superseding indictment. I further understand that Mr. Kelly is facing several charges in other states and jurisdictions. He is currently being held in the Security Housing Unit "SHU" at MCC Chicago which means that Mr. Kelly is confined to his cell and has limited interaction with others. The SHU is commonly used for inmates who engage in criminal acts while in custody. Confining Mr. Kelly to the SHU along with the current conditions in MCC Chicago may be interpreted as a violation of his 8th Amendment rights against cruel and unusual punishment. My concern is that Mr. Kelly is being punished for alleged crimes without being convicted.

I understand the risk assessments that your honor must consider during your decision making regarding bail and pretrial detention. However, many jurisdictions across the country are questioning the use of jail and bail, the monetary condition of release, inequities and negative consequences on defendants. I understand the seriousness of the charges against Mr. Kelly, potential penalties if convicted and whether he poses a real and present threat as previously argued by the prosecution before you. I am asking that you consider that Mr. Kelly is an international celebrity singer/song writer who has strong ties to the Chicago community. He is easily recognizable wherever he goes. He is not in possession of a passport, which will prevent him from traveling outside the country (especially due to his known fear of flying). He does not own firearms or have access to firearms. He does not have a known history of violence or violent criminal activity or convictions. Although he was charged and acquitted after a trial, he has no criminal record other than the current pending charges. In his previous trial it is public knowledge that Mr. Kelly attended his trial and hearings with no issues. Therefore, I am requesting that your honor consider imposing alternative pretrial terms, conditions and supervision, which may include a curfew with electronic monitoring, mental health services and drug testing. It is my position that Defendants are presumed innocent. After factoring in likelihood of reappearance in court, defendants should be offered the least restrictive option and afforded all rights.

Disclaimer: I do not represent defendant Robert Sylvester Kelly in any manner. I am not a member of his legal team, related by blood or through marriage. I have no personal/professional relationship with defendant or anyone associated with defendant. I am writing as a concerned citizen who is an advocate for criminal justice reform.

Respectfully,

Allison Iferbaum

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Honorable Judge Harry Levin Weber
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